REMARKS

The Examiner's action dated November 17, 2004, has been received, and its contents carefully noted.

In order to advance matters, claim 1 has been amended to include a novel feature of the invention, previously defined in claim 2 and do further define the contribution of the invention over the prior art. Support for the added recitations will be found in the specification, particularly in paragraph [0011]. Claim 2 has been amended accordingly and a new claim 8 has been added to define a further novel feature of the invention.

The rejection presented in section 5 of the Action is traversed essentially for the reason that claim 1, as now amended, defines a significant feature that is not disclosed in the applied reference.

Specifically, according to the invention, transmitted information includes a sequence of packets each having a section with a defined bit pattern for testing purposes. Contrary to the assertion presented in support of the rejection of original claim 2, the measuring pulses described in column 3, lines 57-62 of Bachhuber do not constitute a sequence of packets each having a section with a defined bit pattern. The reference discloses, quite specifically, that the measuring signal simply consists of

short measuring pulses. A short measuring pulse cannot properly be equated to a sequence of packets each having a section with a defined bit pattern. Even if, as is asserted in the Action, the series of measuring pulses were interpreted as constituting a bit sequence, this would only mean that, according to the reference, a single packet is being transmitted, rather than a "sequence of packets" as now defined in claim 1.

Moreover, the series of measuring pulses disclosed by Bachhuber cannot be equated to a bit pattern. In the reference, it is the power or field strength of the measuring pulses that is measured (specification, col. 3, line 12) and this is quite different from comparing a received bit pattern with a stored pattern.

Furthermore, according to the invention, as now defined in claim 1, a control signal is generated by the receiving unit only if the comparing step indicates correspondence between the defined bit pattern and the stored bit pattern. In contrast, in the reference system, the measuring signal is used only to adjust the range of the receiver,

It is therefore submitted that claim 1, as now amended, clearly distinguishes over, i.e. is not anticipated by, the applied reference.

Claims 2-8 should be considered allowable at least in view of their dependency from claim 1.

Added claim 8 defines a further feature of the invention that is not disclosed in the applied references, which is that the remote control system that is operated according to the invention is part of an industrial device. The Bachhuber patent only discloses a method for locking and unlocking automobile door locks. An automobile is not, of course, an industrial device.

It is noted that the Bachhuber reference cites, at column 1, line 27, a published German reference disclosing a system including a receiver that exhibits two different sensitivities. For the sake of completeness, a copy of that German reference is submitted herewith.

In view of the foregoing, it is requested that the prior art rejections presented in the Action be reconsidered and withdrawn, that claims 1-8 be allowed and that the Application be found in allowable condition.

If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By _____
Jay M. Finkelstein
Registration No. 21,082

JMF:dtb
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\M\mayf\bredow3\PTO\AMD 12MAY05.doc